



महाराष्ट्र शासन राजपत्र

असाधारण भाग एक -अ-पुणे विभागीय पुरवणी

वर्ष - ५, अंक - ९]

बुधवार, मार्च ९, २०१६ / फाल्गुन १९, शके १९३७

[पृष्ठे १२

असाधारण क्रमांक ९

प्राधिकृत प्रकाशन

विभागीय आयुक्त यांजकडून

वाचा : (१) मुंबई प्रांतिक महानगरपालिका अधिनियम, १९४९ चे कलम १० (१-ई) नुसार.

(२) मा. विधी व न्याय विभाग यांचे दिनांक २ मे २००८ रोजीचे महाराष्ट्र शासन राजपत्र.

(३) मा. राज्य निवडणूक आयोग, महाराष्ट्र राज्य, मुंबई यांचेकडील आदेश व पत्र क्रमांक/रानिआ/नप-२००९/प्र. क्र. १३/का-६, दिनांक ५ जून २०१०.

(४) आयुक्त, पुणे महानगरपालिका यांचे पत्र, जा. क्र./नि/६४७, दिनांक ९ फेब्रुवारी २०१६.

(५) या कार्यालयाची नोटीस, दिनांक १२ फेब्रुवारी २०१६, १७ फेब्रुवारी २०१६ व २३ फेब्रुवारी २०१६.

निकालपत्र

क्रमांक नपाप्र/मनपा/एसआर-२१ व ३०/२०१६.--(१) ज्याअर्थी, मुंबई प्रांतिक महानगरपालिका अधिनियम, १९४९ चे कलम १० (१-ई) अन्वये ज्या उमेदवारांनी निवडणुकीमध्ये केलेल्या खर्चाचा हिशेब शपथपत्रासह, निवडणूक निकाल जाहीर झाल्यापासून ३० दिवसांचे कालावधीमध्ये सादर न केल्यास अशा उमेदवारांना अनर्ह ठरविण्याचे अधिकार विभागीय आयुक्त यांना दिनांक ५ जून २०१० रोजीच्या आदेशान्वये मा. राज्य निवडणूक आयोगाने प्रदान केलेले आहेत.

(२) पुणे महानगरपालिकेची पोट-निवडणूक २०१५ मध्ये होऊन निवडणूक निकाल दिनांक २ नोव्हेंबर २०१५ रोजी जाहीर करण्यात आलेला आहे. सोबतच्या परिशिष्ट-अ मधील उमेदवारांनी पुणे महानगरपालिकेच्या पोट-निवडणुकीमध्ये उमेदवारी अर्ज भरलेला असून, निवडणूक खर्चाची माहिती निवडणूक निकाल जाहीर झालेपासून ३० दिवसांचे आत म्हणजेच दिनांक २ डिसेंबर २०१५ पर्यंत सादर करणे आवश्यक होते. परंतु वरील मुदतीत सोबतच्या परिशिष्ट-अ मधील उमेदवारांनी निवडणूक खर्चाची माहिती विहित रीतीने व मुदतीत न दिल्याने आयुक्त, पुणे महानगरपालिका यांनी त्यांचेकडील उक्त वाचामधील संदर्भ क्रमांक ४ येथील पर्याच्ये या कार्यालयास कल्पिले आहे.

(३) त्यास अनुसरून या कार्यालयाकडून सोबतच्या परिशिष्ट-अ मधील उमेदवारांना निवडणूक लढविण्यास अनर्ह का ठरवू नये, अशी उक्त वाचा मधील संदर्भ क्रमांक ५ अन्वये वेळोवेळी नोटीसा काढणेत येऊन, सक्षम बजाबण्यात आलेली आहे.

(४) सदर नोटीशीस अनुसरून सोबतच्या परिशिष्ट-अ मधील उमेदवारांना वेळोवेळी समक्ष उपस्थित राहून खुलासा व तोंडी युक्तीवाद करणेकामी संधी देणेत आलेली होती. तथापि सोबतच्या परिशिष्ट-अ मधील उमेदवार सदर सुनावणीस अनुपस्थित राहिल्याने त्यांचेकडून कोणताही समर्थनीय कारणासह खुलासा सादर झालेली नाही.

(५) सोबतच्या परिशिष्ट-अ मधील उमेदवारांना मा. राज्य निवडणूक आयोगाने निर्धारित केलेल्या वेळेमध्ये आणि आवश्यक केलेल्या रीतीने, निवडणूक खर्चाचा हिशेब देण्यात कसूर केली आहे आणि अशाप्रकारे कसूर होण्यासाठी त्यांच्याकडे कोणतेही योग्य कारण किंवा समर्थन नाही, अशी माझी खात्री झालेली आहे.

(१)

(६) त्याअर्थी, सोबतच्या परिशिष्ट-अ मधील उमेदवारांना निवडणूक खर्चाचा हिशेब मा. राज्य निवडणूक आयोगाने निर्धारित केलेल्या मुदतीमध्ये व विहित नमुन्यात सादर केला नसल्याने, मी, एस. चोककलिंगम्, विभागीय आयुक्त, पुणे विभाग, पुणे खालीलप्रमाणे आदेश पारित करीत आहे.

आदेश

मुंबई प्रांतिक महानगरपालिका अधिनियम, १९४९ चे कलम १० (७-ई) व राज्य निवडणूक आयोग, महाराष्ट्र राज्य, मुंबई यांचेकडील दिनांक ५ जून २०१० चे आदेशान्वये मला प्राप्त झालेल्या अधिकाराचा वापर करून सोबतच्या परिशिष्ट-अ मधील उमेदवारांना सदरचा आदेश राजपत्रात प्रसिद्ध झालेचे दिनांकापासून तीन वर्षांचे कालावधीकरिता, पालिका सदस्य म्हणून रहाण्यास किंवा पालिका सदस्य होण्यासाठी निवडणूक लढविण्यास अनर्ह ठरवीत आहे.

विभागीय आयुक्त, पुणे विभाग, पुणे यांचा आदेश क्रमांक नपाप्र/मनपा/एसआर-१ ते २८/२०१५,
दिनांक ३ मार्च २०१६ सोबतचे

परिशिष्ट-अ

अ. क्र.	उमेदवारांचे नाव	उमेदवारांचा पत्ता
१	२	३
१	श्री. मजहर मनियार	आनंद हिल व्ह्यू, कोंडवा खु., पुणे-४७
२	श्री. सय्यद राज फैयाज	६१, अमीन मंजील, कौसरबा-ग सोसायटी, कोंडवा खु., पुणे-४७.

एस. चोककलिंगम्,
विभागीय आयुक्त,
पुणे विभाग, पुणे.

पुणे, ३ मार्च २०१६.

वाचा: (१) मुंबई प्रांतिक महानगरपालिका अधिनियम, १९४९ चे कलम १० (७-ई) नुसार.

(२) मा. विधी व न्याय विभाग यांचे दिनांक २ मे २००८ रोजीचे महाराष्ट्र शासन राजपत्र.

(३) मा. राज्य निवडणूक आयोग, महाराष्ट्र राज्य, मुंबई यांचेकडील आदेश व पत्र क्रमांक/रानिआ/नप-२००९/प्र. क्र. १३/का-६, दिनांक ५ जून २०१०.

(४) आयुक्त, कोल्हापूर महानगरपालिका यांचे पत्र, जा. क्र./नि.ख.प.व्य.स./कोमनपा अनर्ह/आरआर/२०१५, दिनांक १० डिसेंबर २०१५.

(५) या कार्यालयाची नोटीस, दिनांक २१ डिसेंबर २०१५, ५ जानेवारी २०१६, २१ जानेवारी २०१६.

निकालपत्र

क्रमांक नपाप्र/मनपा/एसआर-१ ते २८/२०१६.--(१) ज्याअर्थी, मुंबई प्रांतिक महानगरपालिका अधिनियम, १९४९ चे कलम १० (७-ई) अन्वये ज्या उमेदवारांनी निवडणुकीमध्ये केलेल्या खर्चाचा हिशेब शापथपत्रासह, निवडणूक निकाल जाहीर झाल्यापासून ३० दिवसांचे कालावधीमध्ये सादर न केल्यास अशा उमेदवारांना अनर्ह ठरविण्याचे अधिकार विभागीय आयुक्त यांना दिनांक ५ जून २०१० रोजीच्या आदेशान्वये मा. राज्य निवडणूक आयोगाने प्रदान केलेले आहेत.

(२) कोल्हापूर महानगरपालिकेची सार्वत्रिक निवडणूक २०१५ मध्ये होऊन निवडणूक निकाल दिनांक २ नोव्हेंबर २०१५ रोजी जाहीर करण्यात आलेला आहे. सोबतच्या परिशिष्ट-अ मधील उमेदवारांनी कोल्हापूर महानगरपालिकेच्या सार्वत्रिक निवडणुकीमध्ये उमेदवारी अर्ज भरलेला असून, निवडणूक खर्चाची माहिती निवडणूक निकाल जाहीर झालेपासून ३० दिवसांचे आत म्हणजेच दिनांक २ डिसेंबर २०१५ पर्यंत सादर करणे आवश्यक होते. परंतु वरील मुदतीत सोबतच्या परिशिष्ट-अ मधील उमेदवारांनी निवडणूक खर्चाची माहिती विहित रीतीने व मुदतीत न दिल्याने आयुक्त, कोल्हापूर महानगरपालिका यांनी त्यांचेकडील उक्त वाचामधील संदर्भ क्रमांक ४ येथील पर्यान्वये या कार्यालयास कळविले आहे.

(३) त्यास अनुसरून या कार्यालयाकडून सोबतच्या परिशिष्ट-अ मधील उमेदवारांना निवडणूक लढविण्यास अनर्ह का ठरवू नये, अशी उक्त वाचा मधील संदर्भ क्रमांक ५ अन्वये वेळोवेळी नोटीसा काढणेत येऊन, सक्षम बजाबण्यात आलेली आहे.

(४) सदर नोटीशीत अनुसरून सोबतच्या परिशिष्ट-अ मधील उमेदवारांना वेळोवेळी समक्ष उपस्थित राहून खुलासा व तोंडी युक्तीवाद करणेकामी संधी देणेत आलेली होती. तथापि सोबतच्या परिशिष्ट-अ मधील अ. क्र. १, २, ४ ते ७, ९ ते ११, १३ ते १७, १९, २१, २२, २४, २६ ते २८ हे उमेदवार सदर सुनावणीस अनुपस्थित राहिल्याने त्यांचेकडून कोणताही समर्थनीय कारणासह खुलासा सादर झालेला नाही.

(५) त्याचप्रमाणे सोबतच्या परिशिष्ट-अ मधील अ. क्र. ३, ८, १२, १८, २०, २३ व २५ हे उमेदवार सदर सुनावणीस उपस्थिती राहून, लेखी व तोंडी युक्तीवाद केला आहे. तथापि सदर उमेदवारांनी मा. राज्य निवडणूक आयोगाने निर्धारित केलेल्या रीतीने व विहित वेळेस निवडणूक खर्चाचा हिशोब, सुनावणीवेळी पुराव्याच्या पुष्ट्यार्थ सादर केलेल्या कागदपत्रांवरून देण्यास कसूर केली असल्याचे स्पष्ट होते.

(६) सोबतच्या परिशिष्ट-अ मधील उमेदवारांना मा. राज्य निवडणूक आयोगाने निर्धारित केलेल्या वेळेमध्ये आणि आवश्यक केलेल्या रीतीने, निवडणूक खर्चाचा हिशोब देण्यात कसूर केली आहे आणि अशाप्रकारे कसूर होण्यासाठी त्यांच्याकडे कोणतेही योग्य कारण किंवा समर्थन नाही, अशी माझी खात्री झालेली आहे.

(७) त्याअर्थी, सोबतच्या परिशिष्ट-अ मधील उमेदवारांना निवडणूक खर्चाचा हिशोब मा. राज्य निवडणूक आयोगाने निर्धारित केलेल्या मुदतीमध्ये व विहित नमुन्यात सादर केला नसल्याने, मी, एस. चोककलिंगम्, विभागीय आयुक्त, पुणे विभाग, पुणे खालीलप्रमाणे आदेश पारित करीत आहे.

आदेश

मुंबई प्रांतिक महानगरपालिका अधिनियम, १९४९ चे कलम १० (७-ई) व राज्य निवडणूक आयोग, महाराष्ट्र राज्य, मुंबई यांचेकडील दिनांक ५ जून २०१० चे आदेशान्वये मला प्राप्त झालेल्या अधिकाराचा वापर करून सोबतच्या परिशिष्ट-अ मधील उमेदवारांना सदरचा आदेश राजपत्रात प्रसिद्ध झालेचे दिनांकापासून तीन वर्षांचे कालावधीकरिता, पालिका सदस्य म्हणून रहाण्यास किंवा पालिका सदस्य होण्यासाठी निवडणूक लढविण्यास अनर्ह ठरवीत आहे.

विभागीय आयुक्त, पुणे विभाग, पुणे यांचा आदेश क्रमांक नपाप्र/मनपा/एसआर-१ ते २८/२०१५,
दिनांक ३ मार्च २०१६ सोबतचे

परिशिष्ट-अ

अ. क्र.	उमेदवारांचे नाव	उमेदवारांचा पत्ता
१	२	३
१	श्री. संभाजी कृष्णा पाटील	२४९, "ई" वॉर्ड, प्लॉट नंबर ३७, नागाळा पार्क, कोल्हापूर.
२	श्री. अत्तरबी अल्लाबक्ष बेपारी	१७०, "ई" वॉर्ड, बेपारी गल्ली, सदर बाजार, कोल्हापूर.
३	श्री. एकनाथ राऊ काटकर	प्लॉट नंबर ३-ब, भोईराज कॉलनी, जाधववाडी, कोल्हापूर.
४	श्रीमती दिपा विक्रम पोवार	द्वारा. व्हिक्टर फॅड्रीक्स बोर्जेस, घर नंबर अ-१ री नंबर ८५, रमणमळा, कोल्हापूर.
५	श्रीमती पद्मावती विजय घाटगे	२६०३, "डी" वॉर्ड, डांगे गल्ली, जुना बुधवार पेठ, कोल्हापूर.
६	श्रीमती लता वसंत शिंदे	घर नंबर २४१२, "डी" वॉर्ड, शुक्रवार पेठ, कोल्हापूर.
७	श्री. राहूल शरद काकडे	२४७४/२, "सी" वॉर्ड, शनिवार पेठ, कोल्हापूर.
८	श्री. अभय अरुणोदय कामत	८८५, "बी" वॉर्ड, माळी गल्ली, रविवार पेठ, कोल्हापूर.
९	श्रीमती प्रेमा शिवाजी डवरी	ई/जी-४५/१७७, १३२७/क, यादवनगर, कोल्हापूर.
१०	श्रीमती पद्मजा बाळासाहेब पांडव	प्लॉट नंबर ६६, एन. टी. सरनाईकनगर, रायगड कॉलनी, कोल्हापूर.
११	श्री. माधव मोहन सबनीस	भारत हौसिंग सोसायटी, ८ वी गल्ली, कोल्हापूर.
१२	श्री. गणेश दत्तात्रेय निंजरारे	ई/जी/५२/१४६, विद्यापीठ रोड, दौलतनगर, कोल्हापूर.
१३	श्री. गवळी शिवाजी कोंडीबा	२८१५, "बी"वॉर्ड, मंडली वसाहत, माळवार, कोल्हापूर.
१४	श्री. कुंभार अनिल बजरंग	२०८७, "बी" वॉर्ड, मंगळवार पेठ, माळी गल्ली, कोल्हापूर.

परिशिष्ट-अ--चालू

अ. क्र.	उमेदवारांचे नाव	उमेदवारांचा पत्ता
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१५	श्री. प्रशांत किरण पिसे	.. "ए" वॉर्ड, विद्यार्थी, कामगार मंडळ, ८ नंबर शाळेच्या मागे, शिवाजीपेठ, कोल्हापूर.
१६	श्री. योगेश शंकर कांबळे	.. २५५, "बी" वॉर्ड, आदर्श वसाहत, कोल्हापूर.
१७	श्री. रतन शंकर पचेरवाल	.. प्लॉट नंबर १८, शाहू को. ऑप. हौ. सोसा., पाडळकर वसाहत, कोल्हापूर.
१८	श्री. कदम संजय विठ्ठल	.. ३९४, १ ते १० प्लॉट नंबर ६, घोरपडे गल्ली, शाहूपरी, कोल्हापूर.
१९	श्री. रिहाना सलीम इचलकरंजीकर	.. मनिषानगर हौसिंग सोसा., प्लॉट नंबर ७०, साळुंखे पार्क, रिंग रोड, कोल्हापूर.
२०	श्रीमती वैशाली सुरेश कांबळे	.. ७६६/३, सासने कॉलनी, "बी" वॉर्ड, कोल्हापूर.
२१	श्रीमती चौगुले कल्याणी नागेश	.. १८६९, "बी" वॉर्ड, मंगळवार पेठ, कोल्हापूर.
२२	श्रीमती जयश्री अभिजीत शेळके	.. २ रा बस स्टॉप, फुलेवाडी, कोल्हापूर.
२३	श्री. रविंद्र आनंदराव राऊत	.. १०१०/१, द्वारानाथ कॉम्प्लेक्स, कलंबा रिंगरोड, कोल्हापूर.
२४	श्रीमती नयना तानाजी मोरे	.. एस-२९, प्रथमेशनगर, कोल्हापूर.
२५	श्रीमती अर्चना धोडीराम पाटील	.. ८६४/३०-३१, "ए" वॉर्ड, कलंबा, रिंगरोड, कोल्हापूर.
२६	श्रीमती नंदिनी नितीन बिंद्रे	.. डायना कॅसल मागे, नाना पाटीलनगर, फुलेवाडी, रिंगरोड, कोल्हापूर.
२७	श्रीमती वैशाली सचिन कुबडे	.. प्लॉट नंबर ५२, साळोखे कॉलनी, कोल्हापूर.
२८	श्री. पंडीत सहदेव चौगुले	.. प्लॉट नंबर २, गुरु रो हाऊसेस, देवणे कॉलनी, साने गुरुजी वसाहत, कोल्हापूर.

एस. चोककलिंगम्,
विभागीय आयुक्त,
पुणे विभाग, पुणे.

पुणे, ३ मार्च २०१६.

विभागीय आयुक्त तथा प्रादेशिक संचालक, नगरपालिका प्रशासन यांजकडून

वाचा: (१) महाराष्ट्र नगर परिषदा, नगर पंचायती व औद्योगिक नगरी अधिनियम, १९६५ चे कलम ३२२ (३) (फ).

(२) मा. संचालक नगरपालिका प्रशासन संचालनालय, मुंबई यांचेकडील आदेश क्रमांक नपस/२००१/प्र. क्र. २००१/५, दिनांक १ जानेवारी २००१.

(३) जिल्हाधिकारी, पुणे यांचे पत्र क्रमांक पसन/कावि-२०७८/२०१३, दिनांक २८ जानेवारी २०१३.

(४) मुख्याधिकारी, शिरूर नगर परिषद यांचे पत्र जा. क्र. २१९८/२०१२, दिनांक ३ ऑक्टोबर २०१२.

(५) कार्यकारी अभियंता, मजीप्रा नागरी व ग्रामीण योजना विभाग, पुणे यांचे पत्र क्रमांक तांशा-५/शिरूर/७३९, दिनांक २४ एप्रिल २०१५.

आदेश

क्रमांक नपाप्र-४ कावि-१३४/२०१६--शिरूर नगर परिषदेचे जलनिःसारण कर उपविधी २०१६ तयार केले असून, त्यास सर्वसाधारण सभा ठराव क्रमांक १ (३६), दिनांक ७ जुलै २०१२ नुसार प्राथमिक आणि विशेष सभा ठराव क्रमांक १ (६४), दिनांक २८ सप्टेंबर २०१२ नुसार अंतिम मंजुरी देऊन दिनांक २८ जानेवारी २०१३ च्या पत्रान्वये प्रारूप उपविधीस मान्यता मिळणेबाबत मा. जिल्हाधिकारी, पुणे यांचेमार्फत या कार्यालयास प्रस्ताव सादर केला आहे.

महाराष्ट्र नगर परिषदा, नगर पंचायती व औद्योगिक नगरी अधिनियम, १९६५ चे कलम ३२२ (३) (फ) [मराठी अनुवादानुसार ३२२ (३) (च)] तसेच माननीय संचालक, नगर परिषद प्रशासन संचालनालय, मुंबई यांचेकडील आदेश क्रमांक नपस/२००१/प्र. क्र. २००१/५, दिनांक १ जानेवारी २००१ व त्यासोबतचे परिशिष्ट-२ अन्यथे प्राप्त झालेल्या अधिकाराचा वापर करून मी, विभागीय आयुक्त व प्रादेशिक संचालक, नगर पालिका प्रशासन, पुणे विभाग, पुणे, शिरूर नगर परिषदेने जलनिःसारण करसंबंधी तयार केलेल्या उपविधीस मंजुरी देत आहे. या उपविधीस शिरूर नगर परिषदेचे जलनिःसारण कर उपविधी २०१६ असे वाचण्यात यावे.

सदरचे उपविधी महाराष्ट्र शासनाचे राजपत्रात प्रसिद्ध झालेचे दिनांकापासून अमलात येतील.

एस. चोककलिंगम्,

विभागीय आयुक्त तथा प्रादेशिक

संचालक नगर पालिका प्रशासन,

पुणे विभाग, पुणे.

पुणे, ६ मार्च २०१६.

Divisional Commissioner and Regional Director, Municipal Administration, Pune Division, Pune

The Shirur Municipal Council Drainage and Drainage Tax Bye-laws, 2016

No. NP-4/134/2016.—In exercise of the powers delegated to the Regional Director, Municipal Administration, Pune Division, Pune vide Standing Order No. napasu-2001/prakra.-1/2001/5, dated the 1st January 2001 by the Director, Municipal Administration, Maharashtra State, Mumbai read with clauses (e) and (f) of sub-section (3) of Section 322, read with clause (a) of Section 109, clause (e) of Section 108, clauses (a) and (b) of sub-section (1) of Section 203 and proviso to sub-section (1) of Section 204 of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Township Act, 1965 (Mah. XL of 1965), The Divisional Commissioner and Regional Director of Municipal Administration, Pune Division, Pune hereby accords his sanction to the following Bye-laws, namely.—

1. Short Title and Commencement

- (1) These Bye-laws may be called the Shirur Municipal Council Drainage and Drainage Tax Bye-laws, 2016.
- (2) They shall come into force on the date of their publication in Maharashtra Government Gazette.
- (3) It extends to the whole area of the Shirur Municipal Council.

2. Definitions

- (1) In these Bye-laws, unless the context otherwise requires.—
 - (a) "Act" means, the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965.
 - (b) "Authorized Officer" means the Chief Officer of Shirur Municipal Council or one or more officers of the Municipal Council who are authorized as such ;
 - (c) "Council" means the Shirur Municipal Council, Shirur, District Pune ;
 - (d) "Municipal Area" means notified area of the Shirur Municipal Council ;
 - (e) "Municipal Office" means the office of the Shirur Municipal Council ;
 - (f) "Rateable Value" means the amount considered for assessment of property tax as per section 114 of the Act ;
 - (g) "Section" means a section of the Act ;

- (h) "Standing Committee" means the Committee formed in Shirur Municipal Council under Sections 65 and 66 of the Act ;
- (i) "Tax" means the drainage tax leviable or levied by the Council under clause (e) of Section 108 of the Act ;
- (2) Words and expressions used in these Bye-laws, but not defined, shall have the meanings respectively assigned to them in the Act, unless the context otherwise requires.

3. Levy of drainage tax.—

- (1) The Tax shall be levied by the Council on properties, houses or buildings in the Municipal Area having a separate property number.
- (2) The Tax shall be levied at five percent on the rateable value of the property, house or building subject to a minimum of Rupees fifty per annum only.

4. Time and mode of recovery of tax.—

- (1) The tax shall be payable in advance in two half-yearly installments.— First installment becoming payable on the 1st day of April and the second on the 1st of October each year.
- (2) The manner of demanding, collecting or recovering the tax shall be as that of recovering the property tax.
- (3) Failure to pay the tax without lawful excuse shall render the tax payer liable to be proceeded under Sections 152 to 166 of the Act.
- (4) If a tax payer to whom such bill is presented, pays within a period of fifteen days the whole sum claimed as due, then a discount equal to one percent of such sum shall be deducted from the amount payable by the tax payer in such manner and within such period as may be prescribed.

5. Liability for the tax

The tax shall be demanded, collected or recovered from the property owner or from all joint owners of each property, house or building. If no owner can be found or if the Council deems it convenient, the tax may be recovered from the tenant or occupier of such property, house or building.

6. Tax on houses and buildings which are exempt from the consolidated property tax.—

Those properties, houses or buildings which are exempted from the Consolidated Property Tax shall be assessed to the drainage tax on the basis of house tax which would have been payable by them if they had not been so exempted subject to the minimum charge prescribed in clause (2) of bye-law No. 3.

7. Notice of intention to construct work.—

Every applicant who intends or is required to lay out, construct or alter any drain, sewer, ventilation shaft, receptacle for dung manure, water closet, urinal or any drainage or sewerage work, shall comply with the following requirement, namely.—

- (1) Before commencing any such work, the applicant shall give ten days notice to the Authorized Officer in duplicate with required documents of such intention and shall deliver them at the Municipal Office. The printed form of the notice may be obtained at Municipal Office on payment of a fee prescribed by the Council.
- (2) Applicant shall deposit, together with such notice, plans and sections in duplicate to the scale 1:100 and shall show thereon the whole of new drains with their proposed sizes and gradients and the levels of the ground surface and depth of the proposed drains, the premises to be

drained and the boundaries thereof and the position of every building, lane, soil pipe, waste pipe, ventilating pipe, water closet, privy, bath, urinal, sink, trap or other appliances in the premises connected with any drains and position and courses of all surface drains and names of the street adjoining the premises and appliances in red and existing drains and appliances in blue.

- (3) The Authorized Officer may, in case of petty works, grant permission with or without the detailed plan.

8. Approval or disapproval of plan.—

- (1) Within a period of thirty days after the receipt of the application and plan as per bye-law, the Authorized Officer shall signify in writing to the applicant who gave such notice, whether such plan has been approved or not.
- (2) Where the plan has been approved, one copy thereof shall be returned to such applicant, which shall be kept at the site of the work at all times when the work is in progress and be available for inspection by the Authorized Officer and his subordinates who may be authorized by him on his behalf.
- (3) Where a portion of the final work for connection with any drainage of the Council has been reserved by the Authorized Officer, it shall be completed within ten days from the receipt of drainage development fees, by duly authorized employees of the Council.
- (4) If the work has not been commenced within one year, such approval shall be deemed to have been cancelled and the fee deposited as per clause (1) of bye-law No. 10 shall be forfeited. The fee for the new permission shall be paid at the rates existing at the time of fresh sanction :

Provided that, the Authorized Officer, may on application made to him extend such period from year to year; but such extended period shall in no case exceed three years :

Provided further that, such lapse shall not bar any subsequent application for fresh permission under these by-laws.

9. Notice of covering up of work.—

- (1) Every applicant who constructs or alters any drains or other work shall, before proceeding to cover up any portion of any foundation, drains or appliances connected with drainage, give the Authorized Officer notice in writing that such foundations, drains or appliances are ready for inspection and specify the date and hour at which he shall proceed to cover up such foundations drains or appliances. Such notice shall be in the prescribed form, blank copies of which shall be made available free of cost at the Municipal Office, and he shall cause such notices to be delivered at the Municipal Office at least seven clear days (excluding Sunday or any public holidays) before the date specified as aforesaid thereon.
- (2) Similar notice shall be delivered at the Municipal Office at least seven working days before the date at which drains or works shall be ready for final inspection or for connection with any existing Municipal drains.
- (3) On receipt of such notice the Authorized Officer shall inform the date of inspection. The inspection shall be completed within three working days from the date fixed for such inspection.

10. Payment of deposits before connection with the municipal drains.—

- (1) Every applicant who intends to construct a drain which is to be connected with the Municipal sewer or a gully trap shall, before the commencement of connection work, pay an amount equal to expenditure incurred as decided by the Council, from time to time, as a one-time drainage development fee to meet the cost of connection with any sewer or with any gully trap of the Municipal drain, subject to a minimum of Rupees two thousand five hundred only.

(2) No connection of any drain to any sewer vested in the Council shall be made until the drain and appliances connected therewith are duly certified in writing by the Authorized Officer as confirming to all specifications prescribed by the bye-laws.

11. Access to private drains for the purpose of inspection.—

Every person by whom or for whom any drain or other work connected therewith is laid out, constructed, fixed or altered shall at reasonable time afford any officer of the Council free access to such drains or work for the purpose of inspection.

12. Procedure in case of refusal of approval to plans and sections.—

(1) When the Authorized Officer refuses to approve plans under bye-law No. 8, he shall state the grounds for such refusal. The applicant may file an appeal to the Standing Committee within a period of thirty days against such refusal. The decision of the Standing Committee shall be final.

(2) If within the period of thirty days as specified in bye-law No. 8, the Authorized Officer has neither given nor refused to grant approval to the plan and sections, the applicant may make a written request to the Standing Committee to give approval. Such request shall be made within thirty days of the expiry of the period as specified in the bye-law No. 8. The Standing Committee shall be bound to determine by written order, whether such approval should be given or not.

(3) If the Standing Committee within a period of two months from the receipt of written application of the applicant, fails to determine whether such approval should be given or not, such approval shall be deemed to have been given and the applicant may proceed to execute the work but it should not be in contravention of any of the provisions of the Act or any rules or bye-laws made hereunder.

13. Pipe Drain.—

(1) Every house drain shall be of adequate size of stoneware or RCC of NP2 class or PVC pipe of SWR -B class quality and uniform in thickness with internal diameter of not less than one hundred and fifty millimeters between the master trap and the sewer and one hundred millimeters at all other places. The pipe drains shall be jointed in ISI Mark cement or appropriate joining chemical and laid at a gradient of 1 in 50 wherever possible, unless otherwise allowed by the Authorized Officer.

(2) No pipe drains of any size shall pass beneath any part of the building except with the written permission of the Authorized Officer.

(3) At the connection between the pipe drain laid in the street, or road and the pipeline laid by the property owner, an inspection chamber fitted with a 150 millimeter stone-ware or RCC of NP 2 class intercepting sewer trap having a water seal not less than 50 millimeters and with a vent pipe of minimum diameter of 80 millimeters with the open end of the pipe placed above the roof, shall be constructed by the property owner at his own cost.

(4) The cover of all inspection chambers shall be of heavy-duty cast-iron or RCC air-tight, fitted with lip in to the grooved frame. The cover and frame of an inspection chamber subject to wheel traffic shall be of heavy duty cast-iron or RCC. In all other respects, the inspection chambers shall be constructed in accordance with the bye-laws.

(5) Inspection chambers shall be so placed on any pipe drain that no portion more than 25 meters long shall be without an inspection chamber. An inspection chamber at the point of every change of direction in any drain shall also be indispensable.

(6) Every 150 millimeter gully trap shall be connected with the 150 millimeters pipe drain by means of the 100 millimeters stone-ware branch pipe.

- (7) Every down take pipe, if not provided with cistern head, shall be protected at the top by a wire dome and
 - (a) shall be carried at least, -
 - (i) 5 meter higher than any sky-light or window situated within a distance of 12 meters ;
 - (ii) 2 meters higher than the eaves of the roof if affixed to the wall supporting the eave ;
 - (iii) 2 meters higher than the highest point of the building wall, parapet etc. against which the pipe is carried up ;
 - (b) erected or affixed so as to create least practicable nuisance or inconvenience to the inhabitants of the neighborhood.

14. Laying of the Drains, Erection of all Iron pipe and their fitting and testing.—

- (1) Every house drain shall be of adequate size of stoneware or RCC of NP2 class or PVC pipe of SWR -B class quality and uniform in thickness with internal diameter of not less than one hundred and fifty millimeters between the master trap and the sewer and one hundred millimeters at all other places. The pipe drains shall be jointed in ISI Mark cement or appropriate joining chemical and laid at a gradient of 1 in 50 wherever possible, unless otherwise allowed by the Authorized Officer.
- (2) The pipes shall be laid and fitted dry before joining the same, such pipes being neatly cut as may need to be shortened in order to bring in the junctions in the exact position required. All the pipes shall be laid perfectly true both in line and gradient and they shall be laid on 150 millimeter concrete bed on the ground or as per instructions of the Authorized Officer.
- (3) All the pipe joints shall be caulked with cement or tarred gasket in one length for each joint and sufficiently long to entirely surround the spigot-end of the pipe; the gasket to be driven as far as possible into the joint by means of suitable instruments. After the pipes are thoroughly cleaned and moistened, neat cement is to be forced into the joint until the whole space around the spigot between it and the socket, is quite full and splayed fillet of neat cement is to be laid all-round the joint.
- (4) Before filling in the trench, the joints of the pipe drains must be proved water tight by filling the pipes with water to one hundred and fifty millimeter above the top of the highest pipe in the trench and heading the water up for a period of one hour or such further time as directed.
- (5) No stretch of pipe shall under any circumstances be covered up without the written permission of the Authorized Officer.
- (6) The inspection chamber of the pipe drains shall be not less than one meter long and four hundred and fifty millimeter wide and constructed of brick work laid on cement concrete and be internally plastered with three centimeter coat of cement and sand and mixed in the ratio of 1:4 In the chamber a stone-ware channel with a half round invert shall be formed of the width and full depth of pipe drain. The walls shall be brought up to the surface of the ground.
- (7) The cover of all inspection chambers shall be of heavy-duty cast-iron or RCC air-tight, fitted with lip in to the grooved frame. The cover and the inspection chamber subject to wheel traffic shall be of heavy duty cast-iron or RCC. In all other respects, the inspection chamber shall be constructed in accordance with the bye-laws.
- (8) No joints shall be made in the walls without the written permission of the Authorized Officer.

15. Water Closets.—

- (1) In the case of water closets, native pattern soil pans or European style design approved by the Authorized Officer may be provided and shall be properly laid and bedded in cement concrete at the required level and connected by means of porcelain or PVC trap and 100 mm PVC pipes and bends with an inspection chamber or soil pipe, as the case may be. European pattern soil pans of design approved by the Authorized Officer shall be fitted on floor or wall as per design and drawings at the required level with a moveable or hinged seat.
- (2) The bend between the branch of the soil pipe and the water closet pan shall be of PVC pipe of SWR -B class with WC connector or any other appropriate material as per the National Building Code of India or as per the specifications given in Indian Standards for Drainage and Sanitation.

16. Soil waste and vent pipes and soil pipes.—

- (1) The socket joint between the metal or PVC pipes when above ground shall be made completely airtight with a mixture composed of cement, putty or equivalent material and chopped hemp and by a ring of hemp gasket.
- (2) The joints of pipes and shafts above ground after they are thoroughly set must be proved airtight by smoke produced and applied as directed.
- (3) All the cast iron appliances and fittings must be of approved pattern and coated by dipping in Dr. Angus Smiths or equivalent solution before being used in the work.
- (4) All the PVC parts and fittings must be of approved pattern.
- (5) In case of new buildings, the drainage must be in accordance with plan which has been previously approved by the Authorized Officer.

17. Soil Pipes.—

- (1) All soil pipes and connections up to the top of water closets, urinal shall be 100 mm diameter of cast iron or ISI mark SWR-B class quality PVC pipes. The connection between soil pipes and water closet trap shall be by means of pipes fitted with a screw cap external to wall for cleaning purpose. These shall be as per Indian Standard Specifications.
- (2) Every soil pipe shall discharge into 150 mm diameter stone-ware or PVC bend into a chamber fitted with heavy duty cast iron or RCC cover.
- (3) In every case, where there is a tier of water closets one above another, an anti-siphon pipe shall be taken from each water tap except that of the highest water closet and carried up above the roof and to such height as prescribed by the Authorized Officer.
- (4) A nine litre automatic flush tank or flush cock of ISI mark should be provided for each water closet fixed to the wall at least one meter above floor level or any other appropriate flushing mechanism as per the National Building Code of India or as per the specifications given in Indian Standards for drainage and sanitation. It should be connected by 40 mm diameter ISI mark GI or SWR-B class quality PVC pipes to the water closet or European tank.
- (5) All such flushing cisterns shall be supplied by means of an efficient water supply from a reservoir tank placed in a suitable position and height.

18. Maintenance of house-drains kept up for the benefit of certain premises only.—

- (1) Every house-drain which is situated in, alongside or under any street, and which has been or shall be constructed at the charge of the Municipal Fund or not, for the sole use or jointly used for the drainage of two or more premises and benefit of any premises adjoining near such street

shall be maintained and from time to time repaired, flushed, cleansed and emptied by the property owner or occupier of such premises as the Authorized Officer may direct.

- (2) The Authorized Officer may, by written notice, require such property owners or occupiers, as the case may be,—
 - (a) To repair, flush, cleanse or empty such house-drains.
 - (b) To take such other action in respect of such house-drains as the Authorized Officer may deem necessary.

19. Power of Authorized Officer.—

- (1) When any underground drain, which is not a municipal drain, is being laid, the Authorized Officer may cause the work to be supervised and may, from time to time, by written notice to the person carrying out the work, direct to make any reasonable alteration or addition therein or thereto, or the abandonment of any part thereof, if such alteration, addition, or abandonment appears to him to be necessary for ensuring the complete and satisfactory execution of the work.
- (2) If any requisition under sub-by-law (1) is not complied with, the Authorized Officer may stop the work and dismantle anything which has been done in contravention of such requisition, and the expenses of doing so shall be paid by the person to whom the requisition was addressed.
- (3) Except with the written permission of the Authorized Officer and in conformity with such conditions as may be prescribed by the Council, either generally or specially in this behalf, no drain shall be constructed so as to pass beneath any part of a building.
- (4) The Authorized Officer is competent to use the powers under Sections 200 to 214 of the Act for the purpose of implementing these bye-laws.

20. Penalty.—

- (1) Every property owner or occupier who violates any of the foregoing rules, shall be liable for every such violation to a penalty of Rupees five thousand only, and in case of continuing violation, further penalty of Rupees one hundred only for each day after a written notice from the Authorized Officer to discontinue the violation, duly served upon or delivered to such property owner or occupier ;

Provided that, the Council may vary the penalty from time to time but not below the amount mentioned hereinabove.

Provided further that, the amount of penalty shall be revised every five years.

- (2) In addition to the penalty, an amount equal to loss or damage shall be recovered from the property owner or occupier responsible for such loss or damage.

21. Conformity to National Building Code and Indian Standards for Drainage and Sanitation.—

- (1) Any aspect not covered in the by-laws or in particular the planning, design and construction of the drainage system and its appurtenant services shall be done to the satisfaction of the Authorized Officer. The latest version to the National Building Code of India and the Indian Standards for Drainage and Sanitation shall be the reference document for conformity regarding the various aspects.
- (2) Alternative Materials and Methods of Design and Construction.—
 - (a) The provisions of the bye-laws are not intended to prevent the use of any material or method of design and construction not specifically prescribed by the by-laws, provided any such alternative has been approved.

(b) The Authorized Officer may approve any such alternative provided it is found that the proposed alternative is satisfactory and confirms to the provisions of relevant parts regarding material, design and construction and that material, method or work offered is, for the purpose intended at least equivalent to that prescribed in the by-laws in quality, strength compatibility, effectiveness, fire and water resistance durability and safety.

22. Repeal and saving.—

- (1) Any rules or bye-laws corresponding to these bye-laws, which may be in force within the municipal area immediately before the date of commencement of these bye-laws, shall stand repealed in that area, except in respect of the things done or omitted to be done under the rules or bye-laws so repealed.
- (2) These bye-laws will replace the existing special sanitary cess.

S. CHOCKALINGAM,
Divisional Commissioner and Regional Director,
Municipal Administration, Pune Division, Pune.

Pune, 6th March 2016.

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